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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/593,473

09/19/2006

Volkmar Klein

52141

3226

1609

7590

01/07/2008

ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.

1300 19TH STREET, N.W.

SUITE 600

WASHINGTON,, DC 20036

EXAMINER

LITHGOW, THOMAS M

ART UNIT

PAPER NUMBER

1797

MAIL DATE

DELIVERY MODE

01/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/593,473

Applicant(s)

KLEIN ET AL.

Examiner

Thomas M. Lithgow

Art Unit

1797

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on appl. 19 Sept 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received


THOMAS M. LITHGOW
PRIMARY EXAMINER
GROUP 1700

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 19 Sept 2006.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35

U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is replete with the general phrase A “can be connected” to B. Then the claims continues on to recite various limitations involving B. This type of language is indefinite unless B is positively recited as a part of the claim. Specifically, the “fluid means” to which the filter device “can be connected...by means of a connection system which can be detachably connected to the fluid means by a fastening means” should be positively recited since the body of the claim defines limitations based on their presence. Suggested language might be “A filter device comprising a filter element held in a filter housing, the filter housing connected by way of fluid connections to a fluid means by a connection system etc.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by any one of Muzik (US 6579455) or Gutkowski (US 2991885) or Janvrin (US 5826854) or Darling (US 4615812) or Bassett (PGP 2002/0185425). Muzik '455 discloses a fig. 1-2, 9 embodiment with the filter cartridge 22 in which the inlet flange 40 and the outlet flange 42 engage a fluid manifold (fig. 9) which receives the filter cartridge by way of a bayonet connection [col. 8, lines 34+] and also activates a rotary disk valve 48 which acts as a "blocking element". Gutkowski '885 discloses a fig. 1-8 embodiment in which a disk valve 74 rotates to an open position as the filter housing (bowl) 85 with its lugs 98 are bayonet fitted to manifold (head) 54. Janvrin '854 discloses a filter 10 which connects via a bayonet coupling to manifold 12 and actuates a rotary valve disk 14

to allow fluid communication to and from the filter. Bassett '425 is similar to Janvrin '854 with rotary closure valve (blocking element) 26. Darling '812 includes a bayonet connection between the cover/inner filter housing 14 and the outer housing 12. Upon rotation of the cover 18/inner housing 14, a valve disk 32 (on the filter housing 14) and a valve disk (30) (on the manifold –base ring 30) move together to allow flow communication between the manifold 30 and the filter 14.

Claim Rejections - 35 USC § 103

5. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muzik '455 as applied to claims 1-3 above, and further in view of any one of Yoon (US 5601710) or Patton (US 5753111) or Abos (US 3595397). The use of inlet /outlet projections that insert into a filter housing from a manifold to actuate a closure valve upon connection of a filter to a fluid manifold is taught by any one of the above three secondary patents. This feature prevents the leakage from the filter cartridge upon disconnection of the filter cartridge and manifold assemblies. To add such features to Muzik '455 would have been obvious to one of ordinary skill in the art.

Allowable Subject Matter

6. Claims 6-8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Lithgow whose telephone number is 571-272-1162. The examiner can normally be reached on Mon. -Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thomas M. Lithgow
Primary Examiner
Art Unit 1797

TML